

**IN THE UNITED STATES DISTRICT  
COURT FOR THE WESTERN  
DISTRICT OF TEXAS WACO  
DIVISION**

VIASAT, INC.,

Plaintiff,

v.

WESTERN DIGITAL CORPORATION and  
WESTERN DIGITAL TECHNOLOGIES, INC.,

Defendants.

Case No. 6:21-cv-01230-ADA

**ORDER MODIFYING THE SCHEDULING ORDERS**

Before the Court is Plaintiff Viasat, Inc.’s and Defendants Western Digital Corporation and Western Digital Technologies, Inc.’s Joint Motion Regarding Competing Proposals to Modify the Scheduling Orders. The Court, having considered the motion, ORDERS that certain deadlines are modified as noted below. No other deadlines in the Scheduling Orders are affected by this Order.

<b>Current Deadline</b>	<b>New Deadline</b>	<b>Event</b>
7/28/2023	9/22/2023	Deadline for document production to be substantially complete, where “substantially complete” means that both parties believe in good faith that they’ve identified and produced all the documents requested (with the understanding that there may be a small number of outstanding items or documents that support the party’s case in chief)
8/31/2023	11/3/2023	Final Infringement & Invalidity Contentions
9/7/2023	11/9/2023	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)

Current Deadline	New Deadline	Event
9/11/2023	11/14/2023	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, the parties are to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues
10/10/2023	1/12/2024	Close of Fact Discovery
10/17/2023	1/31/2023	Opening Expert Reports
11/14/2023	3/13/2024	Rebuttal Expert Reports
12/5/2023	4/3/2024	Close of Expert Discovery
12/11/2023	4/10/2024	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer
12/19/2023	4/17/2024	Dispositive motion deadline and Daubert motion deadline
1/9/2024	5/8/2024	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery, and deposition designations)
1/11/2024	5/15/2024	Opposition to dispositive motion and Daubert motions
1/16/2024	5/29/2024	Reply to opposition dispositive motion and Daubert motions
1/23/2024	5/22/2024	Serve objections to pretrial disclosures/rebuttal disclosures
8 weeks before trial	8 weeks before trial	Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates
1/30/2024	5/31/2024	Serve objections to rebuttal disclosures; file Motions <i>in limine</i>
2/6/2024	6/7/2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery, and deposition designations); file oppositions to Motions <i>in limine</i>

Current Deadline	New Deadline	Event
2/13/2024	6/14/2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a>
	6/12/2024	Replies to motions <i>in limine</i>
2/13/2024	6/14/2024	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i>
3 business days before Final Pretrial Conference [2/21/2024, or as soon as practicable]	3 business days before Final Pretrial Conference [6/19/24, or as soon as practicable]	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i>
TBD at the Court's convenience [2/27/2024, or as soon as practicable]	6/24/2024	Final Pretrial Conference. Held in person unless otherwise requested
TBD at the Court's convenience [3/18/2024, or as soon as practicable]	7/15/2024	Jury Selection/Trial

Signed this 11th day of August, 2023.

  
THE HONORABLE ALAN D ALBRIGHT